



7020-02

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1133]

Certain Unmanned Aerial Vehicles and Components Thereof; Institution of Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on August 30, 2018, under section 337 of the Tariff Act of 1930, as amended, on behalf of Autel Robotics USA LLC of Bothell, Washington. The complaint alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain unmanned aerial vehicles and components thereof by reason of infringement of certain claims of U.S. Patent No. 7,979,174 (“the ’174 patent”); U.S. Patent No. 9,260,184 (“the ’184 patent”); and U.S. Patent No. 10,044,013 (“the ’013 patent”). The complaint further alleges that an industry in the United States exists as required by the applicable Federal Statute.

The complainant requests that the Commission institute an investigation and, after the investigation, issue a limited exclusion order and cease and desist orders.

ADDRESSES: The complaint, except for any confidential information contained therein, is available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, S.W., Room 112, Washington, DC 20436, telephone (202) 205-2000. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission’s TDD terminal on (202) 205-1810. Persons with mobility impairments who will need special assistance in gaining access to

the Commission should contact the Office of the Secretary at (202) 205-2000. General information concerning the Commission may also be obtained by accessing its internet server at <https://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <https://edis.usitc.gov>.

FOR FURTHER INFORMATION CONTACT: Katherine Hiner, The Office of Docket Services, U.S. International Trade Commission, telephone (202) 205-1802.

SUPPLEMENTARY INFORMATION:

AUTHORITY: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 CFR 210.10 (2018).

Scope of Investigation: Having considered the complaint, the U.S. International Trade Commission, on September 26, 2018, **ORDERED THAT** –

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain products identified in paragraph (2) by reason of infringement of one or more of claims 1-8 and 14-17 of the '174 patent; claims 1-5 and 11 of the '184 patent; and claims 1, 3-16, 18, and 21-24 of the '013 patent; and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(2) Pursuant to section 210.10(b)(1) of the Commission's Rules of Practice and Procedure, 19 C.F.R. 210.10(b)(1), the plain language description of the accused products or category of accused products, which defines the scope of the investigation, is “drones, rotors, rotor assemblies, actuators, propulsion assemblies, batteries, battery components, battery

assemblies, controllers, processors, processing components, modules, chips, and circuits used therein or therewith”;

(3) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainant is:

Autel Robotics USA LLC
22522 29th Dr. SE, Suite 101
Bothell, WA 98021

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

SZ DJI Technology Co. Ltd.
14th Floor, West Wing, Skyworth
Semiconductor Design Building, No. 18
Gaoxin South 4th Ave.
Nanshan District
Shenzhen, China 518063

DJI Europe B.V.
Bijldorp-Oost 6
2992 LA Barendrecht
Netherlands

DJI Technology Inc.

201 S. Victory Blvd.

Burbank, CA 91502

iFlight Technology Co. Ltd.

Units 912-916, 9/F, Building 16W,

No. 16 Science Park West Avenue,

Hong Kong Science Park, Pak Shek Kok,

Hong Kong 999077

DJI Baiwang Technology Co. Ltd.

Building 9, 7, 2, 1, Baiwang Creative Factory

No. 1051, Songbai Road, Xili

Nanshan District

Shenzhen, China 518105

DJI Research LLC

435 Portage Avenue

Palo Alto, CA 94306

DJI Service LLC

17301 Edwards Road

Cerritos, CA 90703

DJI Creative Studio LLC

201 S. Victory Boulevard

Burbank, CA 91502

(3) For the investigation so instituted, the Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

The Office of Unfair Import Investigations will not participate as a party in this investigation.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 CFR 210.13. Pursuant to 19 CFR 201.16(e) and 210.13(a), such responses will be considered by the Commission if received not later than 20 days after the date of service by the Commission of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

By order of the Commission.

Issued: September 26, 2018.

Lisa Barton,

Secretary to the Commission.

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